

REMARKS**Objections to the Abstract**

Applicant's Abstract is objected to for failing to reflect the inventive feature of the claimed invention to distinguish over prior art as required in MPEP §608.01(b). Accordingly, Applicant submits, herewith, a marked up copy of the amended Abstract on a separate sheet, as required by the Office Action. It is the intent of Applicant that the edits to the Abstract filed herewith are sufficient to overcome the Office Action's objection.

Claim Rejections

Claims 1, 2, 7, and 15-21 are rejected under 35 USC 102(e) as being anticipated by U.S. Patent 6,651,151 (hereafter "Palanca 151"). Accordingly, claims 1-8 have been canceled without prejudice. Furthermore, claims 40-46 have been added.

Claim 15 has been amended to include limitations relating to pre-serialization and post-serialization. Specifically, Claim 15, as currently amended, now claims that the recited method includes enabling pre-serialization and post-serializations of operations appearing before and after the load fence instruction, respectively. Palanca 151, as the Office Admits, does not teach pre-serialization or post-serialization. Therefore, claim 15 as presently amended is not anticipated by Palanca 151.

Accordingly, it is respectfully asserted by Applicant that presently amended claims 15-21 and newly added claims 40-46 are in condition for allowance.

Claims 3-6, 8, 9-14, and 22 are rejected under 35 USC 103(a) as being unpatentable over Palanca 151 in view of U.S. Patent No. 6,073,210 (hereafter "Palanca 210").

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35 U.S.C. §103(c) states:

"Subject matter developed by another person, which qualifies as prior art only under one or more of subsections (e), (f), and (g) of section 102 of this title, shall not preclude patentability where the subject matter and the claimed invention were, at the time the invention was made, owned by the same person or subject to an obligation of assignment to the same person."

The subject matter and claimed invention of Palanca 151, which the Office Action uses as a basis for the rejection of claims 3-6, 8, 9-14, and 22 under 35 USC 103(a), and which qualifies as prior art under 35 USC 102(e) (as evidenced by the Office Action's rejections of claims 1, 2, 7, and 15-21), was commonly owned by Intel Corporation along with Applicant's subject matter and claimed invention at the invention was made. Accordingly, Palanca 151 cannot be used as prior art against Applicant, under 35 USC §103.

Because Palanca 151 cannot be used as a basis for an obviousness rejection due to the provisions of 35 USC §103, and because Palanca 210 does not disclose a load fence instruction, as conceded in the Office Action, the Office Action has not provided proper basis to support a rejection of Applicant's claims under 35 USC §103(a).

Accordingly, it is respectfully submitted by Applicant that claims 3-6, 8, 9-14, and 22 are in condition for allowance.

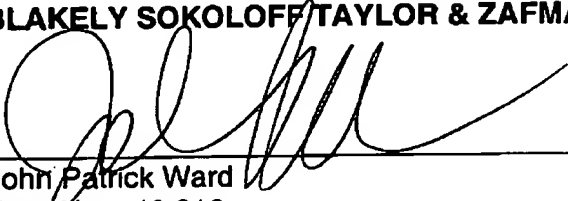
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Respectfully submitted,

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9/14/04


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